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12 Attorneys for Plaintiff and
FACEBOOK, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION
16

17 FACEBOOK, INC.,

18 Plaintiff,

19 v.

20 POWER VENTURES, INC. a Cayman Island
21 Corporation; STEVE VACHANI, an
individual; DOE 1, d/b/a POWER.COM,
22 DOES 2-25, inclusive,

23 Defendants.
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Case No. 5:08-cv-05780 JF (RS)

**[PROPOSED] ORDER GRANTING
FACEBOOK INC.'S MOTION TO
DISMISS AMENDED
COUNTERCLAIMS AND MOTION
TO STRIKE AMENDED
AFFIRMATIVE DEFENSES**

Date: February 26, 2009
Time: 9:00 am
Judge: Hon. Jeremy D. Fogel
Courtroom: 3

1 The Motion of Facebook, Inc. to dismiss the First through Third Counterclaims of
2 Defendant's Power Ventures, Inc. and Steven Vachani, pursuant to Federal Rule of Civil
3 Procedure 12(b)(6) and the Motion of Facebook, Inc. to strike the First through Second
4 Affirmative Defenses of Power Ventures, Inc. and Steven Vachani came on for hearing on
5 February 26, 2009, before the Honorable Jeremy D. Fogel;

6 The Court, having considered the papers filed in support of and in opposition to
7 the motions, the arguments presented at the hearing and other matters relevant to the
8 determination of these motions

9 Hereby finds and ORDERS

10 1. The First through Third Counterclaims are dismissed pursuant to Fed. R. Civ.
11 Pro. 12(b)(6)

12 2. The First and Second Affirmative Defenses are stricken pursuant to Fed. R. Civ.
13 Pro. 12(f).

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15 IT IS SO ORDERED.

16 Dated:

17 _____
18 Honorable Jeremy Fogel
19 United States District Judge
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